

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-00277-TSC

DEMOCRACY FORWARD FOUNDATION v. U.S.
DEPARTMENT OF HEALTH & HUMAN SERVICES et al
Assigned to: Judge Tanya S. Chutkan
Cause: 05:552 Freedom of Information Act

Date Filed: 02/07/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**DEMOCRACY FORWARD
FOUNDATION**

represented by **Adam Anderson Grogg**
DEMOCRACY FORWARD
FOUNDATION
1333 H Street NW
Washington, DC 20005
(202) 448-9090
Email: agrogg@democracyforward.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Javier M. Guzman
DEMOCRACY FORWARD
FOUNDATION
P.O. Box 34553
Washington, DC 20043
(202) 448-9090
Email: jguzman@democracyforward.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF HEALTH &
HUMAN SERVICES**

represented by **Jeremy S. Simon**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2528
Fax: (202) 252-2599
Email: jeremy.simon@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

**U.S. CENTERS FOR MEDICARE
AND MEDICAID SERVICES**

represented by **Jeremy S. Simon**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
02/07/2018	<u>1</u>	COMPLAINT against ALL DEFENDANTS (Filing fee \$ 400 receipt number 0090-5322161) filed by DEMOCRACY FORWARD FOUNDATION. (Attachments: # <u>1</u> Exhibit, # <u>2</u> Civil Cover Sheet, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Summons)(Guzman, Javier) (Entered: 02/07/2018)
02/07/2018	<u>2</u>	LCvR 7.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by DEMOCRACY FORWARD FOUNDATION (Guzman, Javier) (Entered: 02/07/2018)

		02/07/2018)
02/07/2018		Case Assigned to Judge Tanya S. Chutkan. (zmd) (Entered: 02/09/2018)
02/09/2018	<u>3</u>	SUMMONS (4) Issued Electronically as to U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent) (zmd) (Entered: 02/09/2018)
02/26/2018	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES served on 2/13/2018; U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES served on 2/13/2018, RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 02/14/2018., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 2/14/2018. (Answer due for ALL FEDERAL DEFENDANTS by 3/16/2018.) (Attachments: # <u>1</u> Declaration)(Guzman, Javier) (Entered: 02/26/2018)
03/16/2018	<u>5</u>	ANSWER to <u>1</u> Complaint by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES.(Simon, Jeremy) Modified to add link on 3/19/2018 (znmw). (Entered: 03/16/2018)
04/03/2018		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule shall address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues and that contains a proposed schedule and proposed order no later than 5/3/18. Signed by Judge Tanya S. Chutkan on 4/3/18. (DJS) (Entered: 04/03/2018)
04/03/2018		Set/Reset Deadlines: Joint Status Report due by 5/3/2018. (jl) (Entered: 04/04/2018)
05/02/2018	<u>6</u>	Joint STATUS REPORT by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 05/02/2018)
05/03/2018		MINUTE ORDER: Having considered the parties' joint status report <u>6</u> , it is hereby ordered that the parties shall file another joint report and proposed order by June 13, 2018. Signed by Judge Tanya S. Chutkan on 5/3/18. (DJS) (Entered: 05/03/2018)
06/13/2018	<u>7</u>	Joint STATUS REPORT by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 06/13/2018)
06/28/2018		MINUTE ORDER: Having considered the parties' Joint Status Report <u>8</u> , it is hereby ordered that the parties shall submit a another joint report and proposed order by July 25, 2018. Signed by Judge Tanya S. Chutkan on 6/28/18. (DJS) (Entered: 06/28/2018)
06/28/2018		Set/Reset Deadlines: Joint Status Report due by 7/25/2018. (tb) (Entered: 06/28/2018)
07/24/2018	<u>8</u>	Joint STATUS REPORT by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES. (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 07/24/2018)
07/26/2018		MINUTE ORDER: Having considered the parties' Joint Status Report <u>8</u> , it is hereby ordered that he parties shall submit another joint report by September 5, 2018 and every 60 days thereafter. To the extent the report contains a proposed production and/or briefing schedule, the parties shall also file a proposed order. Signed by Judge Tanya S. Chutkan on 7/26/18. (DJS) (Entered: 07/26/2018)
07/27/2018		Set/Reset Deadlines: Joint Status Report due by 9/5/2018. (tb) (Entered: 07/27/2018)

08/30/2018	<u>9</u>	Joint STATUS REPORT by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES. (Simon, Jeremy) (Entered: 08/30/2018)
10/29/2018	<u>10</u>	Joint STATUS REPORT by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES. (Simon, Jeremy) (Entered: 10/29/2018)
12/14/2018	<u>11</u>	Joint STATUS REPORT by DEMOCRACY FORWARD FOUNDATION. (Grogg, Adam) (Entered: 12/14/2018)
01/04/2019	<u>12</u>	Unopposed MOTION to Stay <i>in Light of Lapse of Appropriations</i> by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES (Simon, Jeremy) (Entered: 01/04/2019)
01/07/2019		MIUTE ORDER: Denying <u>12</u> Motion to Stay without prejudice for failure to comply with Local Civil Rule 7(c), which requires that "[e]ach motion... shall be accompanied by a proposed order." Signed by Judge Tanya S. Chutkan on 1/7/19. (DJS) (Entered: 01/07/2019)
01/07/2019	<u>13</u>	Unopposed MOTION to Stay (<i>Defendants' Unopposed Motion to Stay Proceedings in Light of Lapse in Appropriations</i>) by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES (Attachments: # <u>1</u> Text of Proposed Order)(Simon, Jeremy) (Entered: 01/07/2019)
01/16/2019		MINUTE ORDER: Granting <u>13</u> Unopposed Motion to Stay. All deadlines are hereby STAYED. Defendants' counsel shall notify the court as soon as Congress has appropriated funds for the Justice Department. It is further ordered that all current deadlines for the parties shall be extended commensurate with the duration of the lapse in appropriations. Signed by Judge Tanya S. Chutkan on 1/16/19. (DJS) (Entered: 01/16/2019)
01/28/2019	<u>14</u>	NOTICE of <i>Restored Government Funding</i> by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES (Simon, Jeremy) (Entered: 01/28/2019)
02/08/2019	<u>15</u>	Joint STATUS REPORT by U.S. CENTERS FOR MEDICARE AND MEDICAID SERVICES, U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES. (Simon, Jeremy) (Entered: 02/08/2019)
02/22/2019	<u>16</u>	Joint STATUS REPORT by DEMOCRACY FORWARD FOUNDATION. (Grogg, Adam) (Entered: 02/22/2019)